

Order

Michigan Supreme Court
Lansing, Michigan

May 2, 2008

Clifford W. Taylor,
Chief Justice

134437 & (53)(55)(59)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

KENT A. MCNEIL, FRANKLIN E. FISHER,
ROGER GRIFFIN, SCOTT WAY, and JEFF
LEGATO,

Plaintiffs-Appellants,

v

SC: 134437
COA: 272410
Charlevoix CC: 05-088120-CZ

CHARLEVOIX COUNTY and NORTHWEST
MICHIGAN COMMUNITY HEALTH
AGENCY,

Defendants-Appellees.

By order of January 11, 2008, the Court requested supplemental briefing and invited amicus participation. On order of the Court, the motions for leave to file brief amicus curiae are GRANTED. The application for leave to appeal the June 5, 2007 judgment of the Court of Appeals is considered and, on the Court's own motion pursuant to MCR 7.316(A)(3), the Court DIRECTS each party to file a supplemental brief no later than 28 days after the date of this order addressing whether plaintiffs have standing in light of the resolution passed by the Charlevoix County Board of Commissioner on February 27, 2008, exempting Charlevoix County from the application and enforcement of the Public Health Clean Indoor Regulation of 2005 (the "CIAR").

The application for leave to appeal remains pending.



s0429

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 2, 2008

Corbin R. Davis

Clerk